

Remarks:

Applicant has carefully studied the non-final Examiner's Action mailed 12/15/2003, having a shortened statutory period for response set to expire 03/15/2004. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings and numbered paragraphs that correspond to the centered headings and paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

Drawings

The drawings stand objected to under 37 CFR 1.83(a) because they are not consistent with the specification in many respects. Upon reviewing the multiple inaccuracies as pointed out by the Office, it became apparent that the drawings were correct in every aspect because they correctly depict each and every feature of the invention. The problem lies with the fact that the specification filed in this case (attorney docket number 1098.36) was the same specification filed in a companion case (attorney docket number 1098.35).

A correct specification was prepared that described the drawings, but that specification was inadvertently not filed with the drawings. Accordingly, the specification as filed is cancelled herewith and the correct specification is filed herewith as a substitute specification. No new matter is thereby created because the invention was disclosed in its entirety in the drawings as filed and this amendment merely brings the specification into compliance with said drawings.

Specification

The specification stands objected to because it is replete with reference numerals that cannot be found in the drawings. The substitute specification filed herewith overcomes the objections. A substitute Abstract of the Disclosure is also filed herewith.

Claim Objections

Claims 1-13 also stand objected to because of the informalities as noted by the Office. The new claims submitted herewith are the claims initially drafted when the specification was prepared. All claim terms have antecedent basis in the substitute specification so no new matter is introduced by any claim.

Allowable Subject Matter

Applicant acknowledges the Office's finding that claims 1-13 would be allowable if re-written to overcome the claim objections. All of the original claims (1-13) are now cancelled. New claims 14-29 are believed to be in condition for allowance.

Conclusion

If a Notice of Allowance cannot be entered at this time for any reason, a telephone call to the undersigned at (727) 507-8558 is requested. Applicant apologizes for the confusion and thanks the Office in advance for its further examination of this important patent application.

Very respectfully,

SMITH & HOPEN

By: 

Ronald E. Smith
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

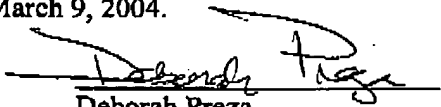
Dated: March 9, 2004

pc: Dr. Aldo A. Laghi

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Specification, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3738, Attn: Alvin J. Stewart, (703) 872-9302, on March 9, 2004.

Dated: March 9, 2004


Deborah Preza